IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WA.No. 2209 of 2002(A)

AGAINST THE JUDGEMENT IN OP.19402/2002 Dated 29/08/2002
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APPELLANTS: 3RD PARTIES
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1. S.BANUMATHI, W/O.SHANMUGHASUNDARAM,
SATHY MAIN ROAD,V.THAIRPALAYAM, CHITHODE, ERODE.

2. M.PURAMATMAN, S/O. A.MMARIMUTHU,
CHETTIAR, W.5, 110, SATHY ROAD, CHITTODE P.O.,
ERODE.

3. S.VELUSWAMY, S/O. SUBRAMANIAN,
223, MUTHUKUMARASWAMY, MAIN STREET, ERODE -2.

4. S.MOORTHY, AGED 37 YEARS,
S/O. SENNIPPAN, 23, MUTHUSWAMY STREET,
FORT - STATION, ERODE.

5. P.SOMASUNDARAM, S/O.M.PURAMATNA,
227-SATHY ROAD, NADUPALAYAM, CHITHODE - 638 012.

6. R.SHANMUGHASUNDARAM,
S/O. RANGASWAMY GOUNDAS, V.THAIRPALAYAM,
K.THAIRPALAYAM, CHITHODE, ERODE RMS.

7. C.MUTHUSWAMY, S/O. CHENNIAPPA GOUNDER,
DOOR NO.2/149, K.THAIRPALAYAM,
V.THAIRPALAYAM POST, CHITHODE.

8. P.DHANDAPANI, S/O. K.PERIYASWAMI, 21-A-
VEERAPPAN PALAYAM, PRIVU, THINDAL POST, ERODE-9.

BY ADV. SRI.ELVIN PETER P.J.

RESPONDENTS: PETITIONER & RESPONDENTS
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1. S.NATARAJAN, S/O. SUNDARAN CHETTIAR,
AGED 78 YEARS, GROSSERY DEALER,

MANNARKADU, PALGHAT DISTRICT.

2. SALES TAX OFFICER, MANNARKADU.

3. INTELLIGENCE OFFICER, SQUAD NO.1,
SALES TAX COMPLEX, PALGHAT.

4. S.BALASUBRAMANIAN, 15/10,
SATHAIRAVALASU, PACHAPALAYAM POST, KANGAYAM.

5. N.CHITRA, 509, K.P.C. NAGAR, VELLAKOYIL
ERODE DISTRICT.

6. SMT.V.SARASWATHI, 16, THIRUVEEKKA STREET
VEERAPARA CHATRAM, ERODE -4.

7. E.S.NALLASWAMY, 26, SUBRAMANIA NAGAR,
MANIKKAPALAYAM ROAD, ERODE.

8. S.VIJAYAKUMAR, KANGAYAM PALAYAM,
KADAYUR POST, KANGAYAM.

BY ADV. SRI.N.MURALEEDHARAN NAIR
SRI.V.K.SHAMSUDHEEN
R2 & 3 BY SPL.GOVERNMENT PLEADER(TAXES) SRI V.V.ASHOKAN

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD
ON 14/06/2007 ALONG WITH WA NO. 2229 OF 2002 & WA NO. 2231 OF 2002,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

W.A.Nos.2209, 2229 & 2231 of 2002

Dated, this the 14th day of June, 2007

JUDGMENT

H.L. DATTU, CJ.

Learned counsel, Mr.Elvin Peter, appearing for the appellants submits that as on today, the reliefs sought for by the appellants does not survive for consideration of this court.

2. Taking note of the submission made by the learned counsel, the writ appeals are disposed of, as having become infructuous.

3. In view of the order passed in the Writ Appeals, the reliefs sought in C.M.P. No.5753 of 2002 in W.A. No.2209 of 2002, C.M.P. No. 5789 of 2002 in W.A. No.2229 of 2002 and C.M.P. Nos.5791 and 5874 of 2002 in W.A. No.2231 of 2002 need not be considered by this court. Accordingly, the said C.M.Ps. are also rejected.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

mt/DK

H.L. DATTU, C.J.
&
K.T. SANKARAN, J.

W.A.Nos.2209, 2229 & 2231/2002

JUDGMENT

14.6.2007